

# Civil Rights Compliance

Foundation for Equity and  
Diversity in Utah Schools



# What are civil rights?

Civil rights are personal rights guaranteed and protected by the U.S. Constitution and by subsequent acts of Congress and delegated authorities.

Civil rights include, for example, the right to free speech, due process, equal protection of the laws and to be free from discrimination.

**The PURPOSES of the USOE's onsite civil rights reviews are to provide a quality education for every student by:**

- ❖ **Ensuring that all students experience equal access, opportunities, guidance, support, and success in every aspect of their public education; and**
- ❖ **Assisting institutions, schools, districts, and educators to know, embrace and implement the requirements & spirit of federal civil rights laws.**

# Purposes *continued*



- ❖ Ensuring that each entity's policies, procedures and practices related to federal civil rights laws meet basic standards, are known about, and are workable.



# The Authority to do so...



**Title VI** of the Civil Rights Act of 1964 and the implementing departmental regulation (34 CFR Part 100), **[Race, Color, National Origin]**

**Title IX** of the Education Amendments of 1972 and the implementing departmental regulation (34 CFR Part 106), **[Sex, marital or parental status, pregnancy]**

**Section 504** of the Rehabilitation Act of 1973 and the implementing departmental regulation (34 CFR Part 104), **[disability]**

- ❖ **Title II** of the Americans with Disabilities Act of 1990 (28 CFR Part 35). **[disability]**
- ❖ **Vocational Education Programs Guidelines** for Eliminating Discrimination and Denial of Services on the Basis of Race, Color, and National Origin, Sex and Handicap (Guidelines), 34 CFR Part 100 Appendix B
- ❖ **The 2010 ADA** -- Standards for State and local governments, which consist of the Title II regulations at 28 CFR 35.151 and the 2004 ADAAG at 36 CFR part 1191, appendices B and D



# **Basic Civil Rights Requirements Summary**



# Ten Broad Areas

- ❖ *Administrative*
- ❖ *Site Location and Student Eligibility*
- ❖ *Recruitment of Students*
- ❖ *Admissions and Treatment*
- ❖ *Financial Assistance*
- ❖ *Counseling*
- ❖ *Services for Students with Disabilities*
- ❖ *Accessibility and Facilities*
- ❖ *Work-based Learning*
- ❖ *Employment Practices*



# ***Administrative***

- ❖ Fund recipients must have policies and procedures prohibiting harassment and discrimination.
- ❖ Recipients must take continuing steps to notify students, applicants, parents, employees, unions and professional organizations that it does not discriminate on the basis of race, color, national origin, sex, or disability.
- ❖ Prior to the beginning of the school year, recipients must advise students, parents, employees, and the general public that all CTE program opportunities will be offered regardless of race, color, national origin, sex, or disability.

# ***Administrative*** *continued*

- ❖ Each recipient must designate at least one qualified employee to coordinate its efforts to comply with and carry out its responsibilities under Sections 504, Title II, and Title IX.
- ❖ The recipient must notify students, staff, and the public of the name, address and phone number of the designated employee(s).
- ❖ A recipient shall adopt and publish a grievance procedure providing for prompt and equitable resolution of student and employee complaints alleging discrimination based on sex, race, color, national origin, or disability (*often combined grievance procedures for bullying and harassment*)

# In summary . . .

We have an obligation to assure that all students have unfettered opportunities to have access to and make progress in our school classes, programs, services, and buildings.

Anything less is probably some form of discrimination.

